

CAMPAIGN FINANCE DIVISION

☒ WAIVER REQUEST
☐ RECONSIDERATION REQUEST

DATE: 12/21/2021

DOCKET#: 2021-1063

FILER INFORMATION

Name: Communications Workers of America
Office:
Parish:
Election Date: 11/3/2020
Level of Office: PAC

501 Third St. NW
Washington, DC
20001

REPORT INFORMATION

Name of Report: 30-P
Original Due Date: 10/5/2020
Date Filed: 11/25/2020
Activity Receipts: \$12,688.50
Expenditures: \$11,250.00
Funds at Close of Reporting Period: \$1,438.50

LATE FEE INFORMATION

Amount of Late Fee: \$3,000
Days Late: 51
Late Fee Order Received: 3/9/2021
Payment/Waiver Request Due Date: 3/29/2021
Waiver Request Received: 3/25/2021
Additional Information Requested:

- Medical
- Financial
- Other

COMMENTS: Krystal DeHaba, supervisor for reporting section for PAC. CWA COPE PCC's mistaken registration and mislabeled filings have, of course, subjected it to the late fees applicable here. Because CWA COPE PCC should never have had to file the 30-P and 10-P reports, because CWA COPE PCC staff acted in good faith in effectively self-reporting late filings, because CWA COPE PCC's mistaken filings promoted transparency, and because CWA COPE PCC has had no previous filing errors, we respectfully request that the Board waive the \$3,000 penalties for each of these reports.

OTHER LATE FEE INFORMATION

Campaign Finance:

Other Outstanding Reports: No
Other Outstanding Late Fees: No
Prior Late Fees: Yes
Reassessed Late Fees: No

Disclosure Statements:

Other Outstanding Late Fees: No
Prior Late Fees: No

By USPS Express Mail

March 24, 2021

Melissa Horn
Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821

Re: Waiver Request for Late Fee Assessments Issued to Communications Workers of America COPE Political Contributions Committee Regarding the 10-P and 30-P Campaign Finance Disclosure Reports for the November 3, 2020 election.

Dear Ms. Horn:

I am writing on behalf of Communications Workers of America COPE Political Contributions Committee (ID# 301608) ("CWA COPE PCC") regarding the Board's late fee assessment letters dated February 26, 2021 (received on March 8), related to 2020 10-P and 30-P campaign finance disclosure reports for the November 3, 2020 election. For the reasons set out below, we request a waiver of the \$3,000 fine assessed regarding each report.

CWA COPE PCC is a federal PAC of a national labor union that is active across the country. In September 2020, it decided to make Louisiana political contributions and proceeded to contribute an aggregate of \$13,000 during the remainder of the calendar year. In November 2020, CWA COPE PCC staff mistakenly registered CWA COPE PCC as a political committee in Louisiana even though it did not qualify as a Louisiana political committee.

Under the impression that CWA COPE PCC's registration in Louisiana was required, and in an effort to comply with state reporting obligations regarding its activities, CWA COPE PCC staff erroneously filed a Statement of Organization on November 25. But CWA COPE PCC should not have registered at all because it was not a "political committee" as defined in state law. Specifically, an entity ***"shall not constitute a 'political committee' for purposes of requirements of R.S. 18:1491.1 through 1491.8 which would require such an entity to keep records and submit reports"*** if, during a calendar year, it supports candidates in states other than Louisiana; receives less than half of its money from PACs and candidates; spends less than half of its money in Louisiana; *and* spends no more than \$20,000 in support or opposition to Louisiana candidates. L.R.S. § 18:1483(14)(b). As is evident from its disclosure reports filed with the Federal Election Commission (FEC), which are available on the FEC's public website,

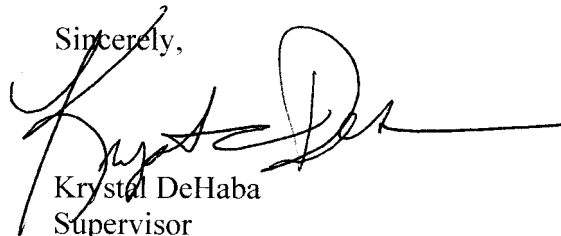
CWA COPE PCC met these criteria in 2020 and did not qualify as a Louisiana political committee.

The same day it registered, CWA COPE PCC filed the 10-P and 30-P reports relevant here. However, in the haste to meet the November 25 filing deadline for the 10-G report, CWA COPE PCC mislabeled what it intended to be a 10-G report as the 10-P report. As you can see from the filing (attached, for convenience), all of the activity in the mislabeled 10-P report occurred between October 15 and November 15, the covered period for the 10-G report. After filing the 10-P report, which it believed to be the 10-G report, CWA COPE PCC then timely filed the remaining reports for the 2020 elections.

They say that no good deed goes unpunished, and CWA COPE PCC's mistaken registration and mislabeled filings have, of course, subjected it to the late fees applicable here. Because CWA COPE PCC should never have had to file the 30-P and 10-P reports, because CWA COPE PCC staff acted in good faith in effectively self-reporting late filings, because CWA COPE PCC's mistaken filings promoted transparency, and because CWA COPE PCC has had no previous filing errors, we respectfully request that the Board waive the \$3,000 penalties for each of these reports. If the Board chooses not to do so for these reasons, we separately request that the Board determine that the 10-P report was actually the 10-G report, treat the report as timely filed, and waive the \$3,000 penalty.

Thank you for considering our requests. If you need any additional information, please feel free to contact me at 703-470-8323 and kdehaba@cwa-union.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Krystal DeHaba', with a long horizontal flourish extending to the right.

Krystal DeHaba
Supervisor

**Communications Workers of America
COPE Political Contributions Committee**



CHRISTOPHER SHELTON, Chair
SARA STEFFENS, Treasurer
SHANE LARSON, Political Director

CWA-COPE PCC
501 Third Street, N.W.
Washington, DC 20001
Phone: 202.434.1491
Fax: 202.434.1279
Email: epolitics@cwa-union.org

May 3, 2021

Melissa Horn
Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821

**Subject: Resolution for Late Fee Assessment for Communications
Workers of America COPE Political Contributions Committee**

Dear Mrs. Horn,

Per the phone conversation that took place on April 27, 2020 with Sarah Martin of LA Board of Ethics, CWA COPE PCC would only be required to amend the 10th day prior to Primary and to file a 10th day prior to General to rectify the filing miscommunication.

You will find these reports attached. If there are any other questions or concerns that need to be addressed, please feel free to reach out to Krystal DeHaba at kdehaba@cwa-union 703-470-8323.

Thank you for your understanding on this matter.

Kind regards,

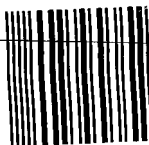
Sara Steffens
Secretary- Treasurer



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Louisiana Board of Ethics
Attn: Melissa Horn
PO BOX 4368
Baton Rouge, LA

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